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### FAX COVER SHEET

April 20, 2004

To: Customer Service

Fax Number: 703.746.4060

Organization: OIPE

Telephone Number:

From: Kevin Lynn Wildenstein

Original ☐ WILL ☒ WILL NOT be sent.

Total number of pages (including this fax cover sheet): 29

Comments: Please see the attached letter and referenced documents concerning Application Serial No. 10/644,984.

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*Kevin Lynn Wildenstein*  
Registered Patent Attorney  
Licensed in Arizona, Colorado and New Mexico

TELEPHONE (505) 468-0556  
FACSIMILE (505) 468-0558  
E-MAIL khw@swiplaw.com

April 20, 2004

U.S. Patent Office  
ATTN: OIPE Customer Service  
Alexandria, VA 22313-1450

Via Facsimile Transmission  
703.746.4060

**Re: Response to 10/20/03 Notice of Missing Parts**  
**Applicant: SMOOT, Sue**  
**Title: "METHOD, SYSTEM AND DEVICE FOR BLOCKING SUNLIGHT"**  
**Application No. 10/644,984**  
**Provisional Filing Date: 11/25/02**  
**Utility Appl. Filing Date: 8/20/03**

Dear Patent Office:

I contacted the OIPE office this morning (and several other PTO offices) to determine the status of the above identified application. This application, originally filed as a provisional application on Nov. 25, 2002, and filed as a corresponding utility application with a different title on August 20, 2003, also contained a Petition to Make Special. I was told by Mr. Williams in the OIPE that the Office is still awaiting a response to the Notice of Missing Parts (mailed 11/20/03).

On Nov. 17, 2003 and on December 3, the Applicant filed two responses (both attached, including copies of the express mail receipt as well as return receipt postcard stamped by the OIPE). The first response was filed in complete response to the 11/20/03 Office Action. A second response was filed on December 3, 2003 because the Applicant found out that the Office had inadvertently placed the utility application funds into a separate, new provisional application number which was never applied to the utility application. As such, the Applicant's attorney spoke to Eleanor Kurtz of the Patent Office of Finance, who transferred \$25.00 to the utility application. This left a balance of \$40.00 to respond to the notice of missing parts. Applicant submitted by fax the additional \$40.00 through the Office's Credit Card Payment form on December 3, 2003. Ms. Kurtz suggested filing a second response to the 11/20/03 Office Action to record what transpired.

Applicant believes that all documents responsive to the 11/20/03 Office Action have been filed since December 3, 2003. Applicant desires the Office to take special notice to the pending Petition to Make Special and have this application examined as soon as possible.

The undersigned attorney of record would appreciate a phone call from the OIPE division to prevent any further confusion surrounding this application.

April 20, 2004  
Page 2

Sincerely,

**Southwest Intellectual Property Services, LLC**

By: Kevin Lynn Wildenstein  
Kevin Lynn Wildenstein  
USPTO Reg. No. 39,072

Attachments as stated.

Cc: S. Smoot (w/out attachments)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Date: April 20, 2004 By: Kevin Lynn Wildenstein

Utility Patent Application Serial No. 10/644,984 (filing date 11/25/03)  
 Title of Invention: METHOD, SYSTEM AND DEVICE FOR BLOCKING  
 SUNLIGHT

Please acknowledge receipt of the following documents:

- 1) Response to 10/20/03 Notice to File Missing Parts (and attached exhibits)
- 2) Check No. ~~523~~ for \$25.00 payable to the Comm. of Patents to cover the surcharge for a late oath; and
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**1<sup>ST</sup>  
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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s):

Docket No.

SMOOT001

Serial No.  
10/644,984Filing Date  
Nov. 25, 2002Examiner  
TBDGroup Art Unit  
TBDInvention: **METHOD, SYSTEM AND DEVICE FOR BLOCKING SUNLIGHT**

I hereby certify that the following correspondence:

Response to 10/20/03 Notice of Missing Parts (and attached Exhibits)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Nov. 17, 2003  
(Date)

Kevin Lynn Wildenstein  
(Typed or Printed Name of Person Mailing Correspondence)

Kevin Lynn Wildenstein  
(Signature of Person Mailing Correspondence)

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TELEPHONE (508) 488-0556  
FACSIMILE (508) 438-0550  
E-MAIL [jw@cwproject.com](mailto:jw@cwproject.com)

1997年12月20日

**Via Express Mail**

44-38861-1000

[illegible]

◎ 田園小説

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**THE UNIVERSITY OF CHICAGO**

2000

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### METHOD, SYSTEM AND DEVICE FOR BLOCKING

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11. *Phyllanthus* *sp.*

**Figure 1**

1997年12月

ALLEN, J. L. 1990. The effects of the 1989-1990 El Niño on the marine benthic invertebrates of the Pacific coast of Mexico. *Journal of Marine Research* 48:1-24.

1990年12月15日

1. Copy of a Filing Receipt assigned with the above referenced Provisional Patent Application filed with the Office on November 22, 2002 (identifying that the Provisional Application was assigned Application Serial No. 60/343,916) (Exhibit A);
2. Copy of a Filing Receipt assigned with the above referenced Provisional Patent Application filed with the Office on August 20, 2003, identifying the Provisional Patent Application Serial No. 60/484,558 and including a copy of a Request to Make Special where the inventor's fee and charges of \$573.00 of inventor's fee on \$573.00 for the filing fee (Exhibit B);
3. Copy of a Filing Receipt assigned with the Utility Application filed (identifying that the Utility Application Serial No. 09/044,934) (Exhibit C);
4. Copy of a Filing Receipt assigned with the above referenced Utility Patent Application (incorrectly identifying that the Utility Application was a Provisional Application, assigning it a different Application Serial No. 60/425,938 and incorrectly assigning it Application an Art. Docket No. of 2003-100000) (Exhibit D);
5. Copies of the 09/20/03 Notice of Filing Fees dated 10/20/03 by incorrectly requesting fees for a provisional application and an inventor's application (Exhibit E).



November 17, 2003  
Page 2

- An original Verified Statement Claiming Small Entity Status executed by the Applicant (Exhibit F); and
- A check for \$25.00 to cover the surcharge for a late oath.

According to a phone conference I had with the Initial Examining Division today, it appears that the Office deposited the check for \$375.00 for the Utility Application filing fee for the benefit of Application Serial No. 10/644,984 (I was told that there are no other documents filed which are associated with this serial number - I was also told that the "Confirmation Number" for this check was assigned Confirmation Number 7498). As such, the 10/20/03 Notice to File Missing Parts, requesting a check for a provisional application filing fee, is incorrect.

As such, please change your records to show that a completed Utility Application (assigned Application Serial No. 10/644,984) was properly filed with the required filing fee on August 20, 2003, claiming a priority filing date of November 25, 2002 from Provisional Patent Application Serial No. 60/428,988. Also, please proceed to process the Petition to Make Special based upon the Applicant's age. Additionally, please change your records to reflect an Attorney Docket Number of "SMOOT001".

Should you have any questions, please call the undersigned attorney.

Sincerely,

Southwest Intellectual Property Services, LLC

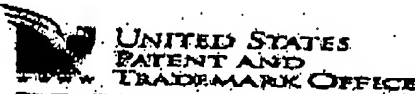
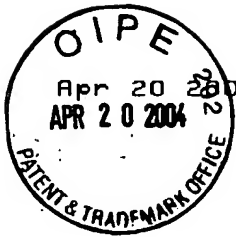
By: Kevin Lynn Wildenstein  
Kevin Lynn Wildenstein

Attachments as stated.

Cc: S. Smoot (w/out attachments)



A



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|--------------------|-------------|--------------|---------------|------------------|----------|------------|------------|
| 60/428,988         | 11/28/2002  |              | 80            | 9419-006         | 7        |            |            |

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34534  
KEVIN LYNN WILDENSTEIN  
SUTIN, THAYER & BROWNE, P.C.  
P.O. BOX 1945  
ALBUQUERQUE, NM 87103

CONFIRMATION NO. 4058

## FILING RECEIPT



\*OC000000009284763\*

Date Mailed: 12/24/2002

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Sue Smoot, Albuquerque, NM,

If Required, Foreign Filing License Granted: 12/23/2002

Projected Publication Date: None; application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

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## Title

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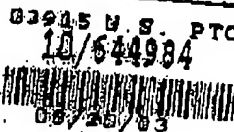
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11/17/03







C



New Utility Patent Application  
Title of Invention: METHOD, SYSTEM AND DEVICE  
FOR BLOCKING SUNLIGHT  
Filing Date: Aug. 20, 2003

Please acknowledge receipt of the following documents:

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- 2) Petition to Make Special;
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Cardinal Camera National Park NM

Kevin Wildenstein  
SWIP Svcs, LLC  
6700-B Jefferson, Suite 8  
Albuquerque, New Mexico 87109





D



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|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 60/496,680 | 08/20/2003                |          | 0.00          | 9419-006        | 8        |          |          |

34534  
KEVIN LYNN WILDENSTEIN  
6700 B JEFFERSON NE  
SUITE 8  
ALBUQUERQUE, NM 87109

CONFIRMATION NO. 6610

## FILING RECEIPT

OC000000011061028

Date Mailed: 10/20/2003

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Sue Smoot, Albuquerque, NM;

If Required, Foreign Filing License Granted: 10/16/2003

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Sun shield apparatus

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).





E



UNITED STATES PATENT AND TRADEMARK OFFICE

|                    |                        |                       |                        |
|--------------------|------------------------|-----------------------|------------------------|
| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
| 60/496,690         | 08/20/2003             | Sue Smoot             | 9419-006               |

34534  
KEVIN LYNN WILDENSTEIN  
6700 B JEFFERSON NE  
SUITE 8  
ALBUQUERQUE, NM 87109

CONFIRMATION NO. 6610

### FORMALITIES LETTER

\*00000000-11061029\*

Date Mailed: 10/20/2003

**NOTICE TO FILE MISSING PARTS OF PROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(c)

**Filing Date Granted**

An application number and filing date have been accorded to this provisional application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee, under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. *Applicant must submit \$ 80 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$25 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$106 for a Small Entity

- \$80 Statutory basic filing fee.
- \$25 Late oath or declaration Surcharge.

Replies should be mailed to: Mall Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*



A handwritten signature in dark ink, appearing to read "K. B. Dwyer", is written over a horizontal line.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



F

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(d) AND 1.27 (b)) - INDEPENDENT INVENTOR**Docket No.  
SMOOT001

Serial No.

TBD

Filing Date

August 20, 2003

Patent No.

Issue Date

Applicant/ Patentee:  
SMOOT, SueInvention: **METHOD, SYSTEM AND DEVICE FOR BLOCKING SUNLIGHT**

As a below named inventor, I hereby declare that I am an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above and described in:

- ☐ the specification to be filed herewith.  
☒ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern or organization exists.  
☐ Each such person, concern or organization is listed below.

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

FULL NAME  
ADDRESS

- ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

- ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

- ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

- ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR SMOOT, SueSIGNATURE OF INVENTOR *Sue Smoot*DATE: November 7, 2003

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

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DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_



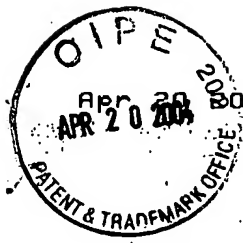
Respectfully submitted,

Date: December 3, 2003

By: Kevin Lynn Wildenstein

Kevin Lynn Wildenstein  
Reg. No. 39,072

Southwest Intellectual Property Svcs., LLC  
6700-B Jefferson NE, Suite 8  
Albuquerque, New Mexico 87109  
(505) 468-0555  
Fax (505) 468-0556



## HP LaserJet 3330

Southwest Intellectual Proper  
505-468-0556  
Dec-3-2003 12:47PM



## T.30 Protocol Trace

| Job     | Date       | Time       | Type    | Identification   | Duration | Pages | Result |
|---------|------------|------------|---------|--|----------|-------|--------|
| 176     | 12/ 3/2003 | 12:45:58PM | Send    | 81703308580618   | 1:01     | 1     | Ok     |
| Elapsed | Local      | Remote     | Signal  | Detail   |          |       |        |
| 0000.00 | OFFHOOK    |            |         |  |          |       |        |
| 0021.65 | CNG        |            |         |  |          |       |        |
| 0025.15 | CNG        |            |         |  |          |       |        |
| 0031.39 | NSF        | v21        | -20 dBm | ff 03 20 00 00 11 80 00 8a 48 00 53 00 80 80 80 0c 01 02       |          |       |        |
| 0031.85 | DIS        | v21        | -20 dBm | ff 13 80 20 ee a8 c4 80 95 80 80 80 28                         |          |       |        |
|         |            |            |         | Capabilities   |          |       |        |
|         |            |            |         | modulation : v.27, v.29, v.17                                  |          |       |        |
|         |            |            |         | encoding : mh mr mnr jbig                                      |          |       |        |
|         |            |            |         | resolution : std fine r16x15.4 1/mm r0x15.4 1/mm metric pref   |          |       |        |
|         |            |            |         | ecm : yes  |          |       |        |
|         |            |            |         | page width : 215mm   |          |       |        |
|         |            |            |         | page length : unlimited  |          |       |        |
|         |            |            |         | mslt : 10 ms, T7.7 - T3.85                                     |          |       |        |
|         |            |            |         | color : no   |          |       |        |
|         |            |            |         | misc : v.8   |          |       |        |
| 0032.35 | TSI        | v21        |         | ff 03 43 36 35 35 30 20 38 36 34 20 35 30 35 20 20 20 20 20 20 |          |       |        |
| 0032.35 | DCS        | v21        |         | id : 505 468 0556  |          |       |        |
|         |            |            |         | ff 13 83 00 22 18 c4 80 80 80 80 80 00                         |          |       |        |
|         |            |            |         | Use  |          |       |        |
|         |            |            |         | data rate : v.17 14400 bps                                     |          |       |        |
|         |            |            |         | encoding : mnr   |          |       |        |
|         |            |            |         | resolution : r8x3.85 1/mm (std)                                |          |       |        |
|         |            |            |         | ecm : yes .256   |          |       |        |
|         |            |            |         | page width : 215mm   |          |       |        |
|         |            |            |         | page length : unlimited  |          |       |        |
|         |            |            |         | mslt : 0 ms  |          |       |        |
|         |            |            |         | color : no   |          |       |        |
|         |            |            |         | misc :   |          |       |        |
| 0036.28 | TCF        | v17 14.4   |         |  |          |       |        |
| 0039.22 | CFR        | v21        | -20 dBm | ff 13 84   |          |       |        |
| 0055.40 | MSG        | v17 14.4   |         |  |          |       |        |
| 0055.47 | PPS_EOP    | v21        |         |  |          |       |        |
| 0058.30 | MCF        | v21        |         | ff 13 bf 2f 00 00 63   |          |       |        |
| 0058.37 | DCN        | v21        | -20 dBm | ff 13 8c   |          |       |        |
| 0060.66 | ONHOOK     | v21        |         | ff 13 fb   |          |       |        |